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March 2, 2006

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W., TW-A325
Washington, D.C. 20554

EX PARTE

Re: CC Docket No. 99-200. In the Matter of the Petitions by the Michigan PSC, Missouri PSC, Nebraska PSC, New York State Department of Public Service, PUC of Ohio, Oklahoma CC, Washington UTC and West Virginia PSC for Mandatory Thousands-Block Number Pooling Outside the Top 100 MSAs. Response to NTCA *ex parte* presentation of January 25, 2006.

Dear Ms. Dortch:

The Missouri Public Service Commission (MoPSC) submits this written *ex parte* in response to the National Telecommunications Cooperative Association (NTCA) filing of January 25, 2006 in the above-captioned matter. The MoPSC acknowledges the Commission's Order and Fifth Further Notice of Proposed Rulemaking granting the Missouri petition for delegated authority to implement thousands-block pooling, but submits this *ex parte* in support of the remaining state petitions for additional delegated authority to implement number conservation measures.

The NTCA advocates that the Commission reject any proposal for blanket approval of number pooling authority. The MoPSC wishes to respond to a number of arguments advanced by NTCA since number pooling has been successfully implemented in the top 100 MSAs in Missouri for several years.

The MoPSC filed a Petition requesting additional delegated authority to implement number conservation measures and, specifically, requesting the authority to implement mandatory thousands-block number pooling in the 417, 573, 636 and 660 numbering plan areas ("NPA"). The Commission granted this Petition in February 2006. The MoPSC filed

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its petition with the FCC for statewide number pooling authority because number pooling has been a very effective number conservation measure. Pooling efforts are more effective when implemented early and when allowed an opportunity to work.

The MoPSC generally agrees that rural carriers who have received temporary suspensions of the local number portability (LNP) requirements should be exempt from number pooling since those temporary suspensions were granted after careful consideration. On November 10, 2003, the FCC issued a Memorandum Opinion and Further Notice of Proposed Rulemaking that directed local exchange carriers to port numbers to wireless carriers where the requesting carrier's "coverage area" overlaps the geographic location of the rate center in which the customer's wireline number is provisioned. In response to this directive, the MoPSC received over 30 requests from rural local exchange carriers to suspend or modify this requirement.

In 2004, the MoPSC conducted proceedings related to the costs associated with updating and/or replacing switches for LNP capabilities. Twenty-two carriers had switches that were not LNP capable. Of those carriers, six carriers were in the process of gathering bids to determine the cost of switch replacement. According to the 2004 data submitted in the twenty-two cases, the estimated average cost for switch replacement and/or software upgrade was \$76,410. NTCA's cost estimates appear to be generalizations that are not consistent with, and greatly exceed, cost information previously provided to the MoPSC by the Missouri carriers. NTCA claims number pooling outside the top 100 MSAs will cost rural carriers from \$200,000 to \$600,000 per central office or switch. After careful consideration of the costs and benefits associated with local number portability, the MoPSC granted temporary suspensions or modifications of the FCC's requirements as they pertain to local number portability.

As the LNP suspensions and modifications expire, it is possible the rural carriers will request further relief. If such requests are received, the MoPSC intends to carefully consider cost issues as well as recent federal decisions that may impact rural carriers and consumers in Missouri. Since rural carriers do not have to participate in pooling until they receive a bonafide request for local number portability, the MoPSC disagrees with NTCA's assertion that state commissions seeking number pooling authority have not considered the economic impact on rural carriers. Through its review of costs and benefits associated with the requests for suspension or modification of the FCC's LNP requirements, the MoPSC has in effect reviewed the impact of pooling on rural carriers.

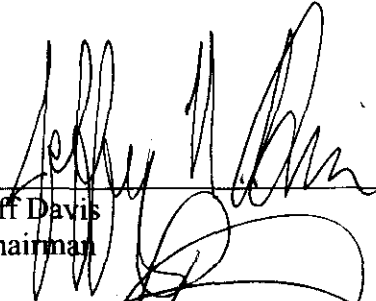
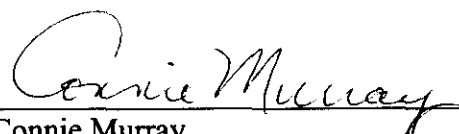
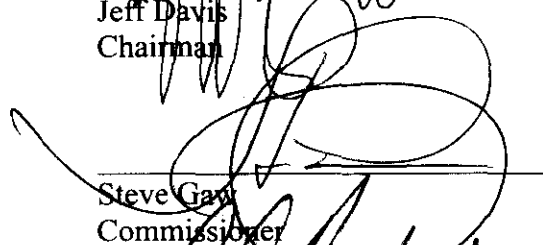

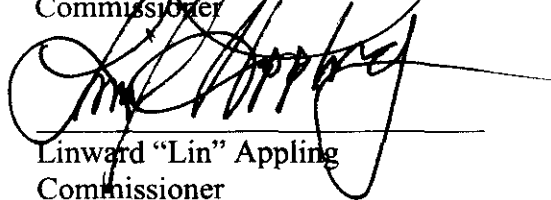
Although the MoPSC recognizes the costs associated with requiring local number portability on rural carriers, there are viable reasons to implement additional pooling and number conservation authority in Missouri. Many of the numbering resources are now being expended by non-incumbent providers (e.g. wireless providers, Voice over Internet Providers, paging companies, dating services, etc.). Implementing number pooling will constrain local numbering resources and avoid unnecessary exhaust of area codes. This need is demonstrated in the MoPSC Petition which states, "Similarly, in the 660 NPA, Numbering

Resource Utilization/Forecast ("NRUF") data indicates one [non-ILEC] recently requested 16 blocks of 10,000 numbers from NANPA."

Non-traditional telecommunications services play a key role in reducing the numbering resources available in the United States. For instance, according to numbers presented by Neustar to the Telecommunications Subcommittee at its recent Winter Meetings in Washington DC, area codes exhausting within 36 months have grown from 14 in 2005 to 24 in 2006. Further, thousand block assignments have grown from 37,403 to 55,990 from 2004 to 2005. If these assignments are indicative of the trend in non-pooling areas, the possibility for the repletion of codes is staggering.

The MoPSC has actively engaged in the conservation of numbering resources for several years. The most significant tool to conserve resources is thousands-block pooling. Therefore, the MoPSC urges the FCC to grant state requests for additional delegation of authority to implement number conservation measures.

Sincerely,


Jeff Davis
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Steve Gao
Commissioner
Robert Clayton
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Ms. Marlene H. Dortch

March 2, 2006

Page 4 of 4

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